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Resource Protection Area Compliance Program Chesterfield County

Joan Salvati

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Key Program Elements

- **Use Plan of Development Review process to discourage encroachments into the RPA**
- **Educate citizens in existing and new developments about RPA functions**
- **Require signs demarking the RPA during and after construction**

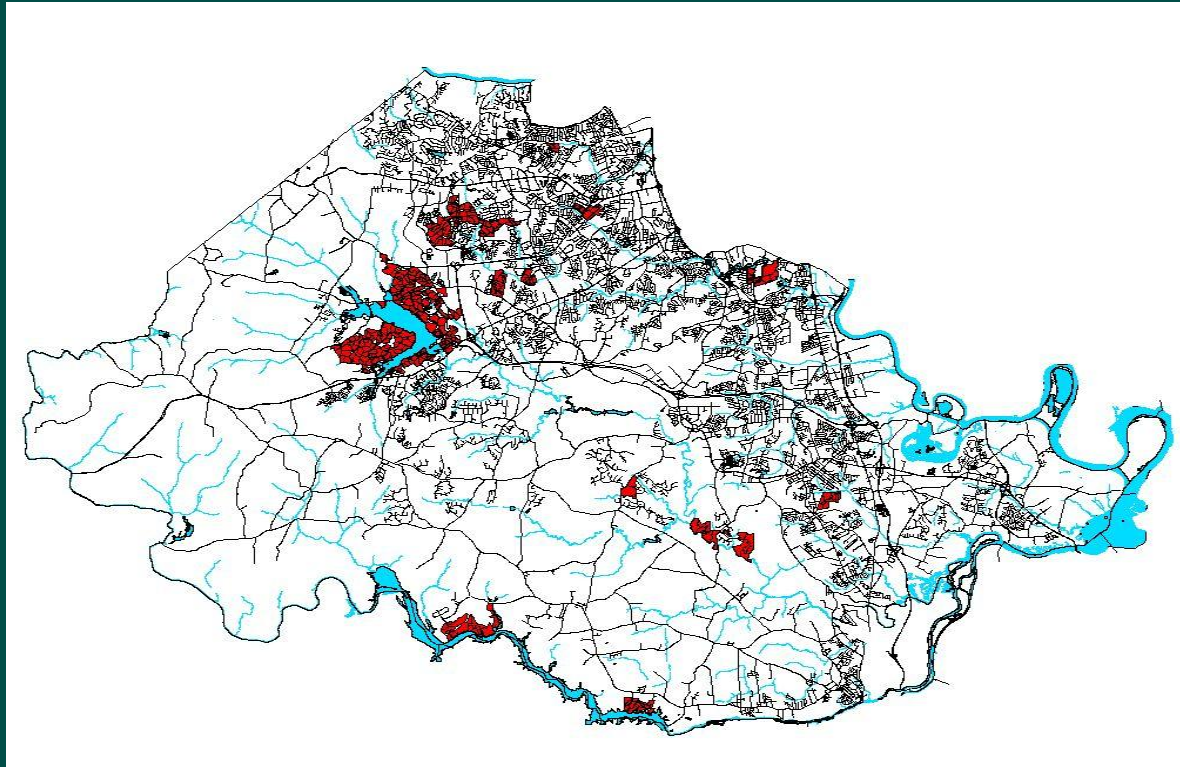
Key Program Elements (cont.)

- **Adequately mark off the RPA boundary during construction**
- **Enforce RPA requirements**

Permitted Encroachments

Since 1998, only three significant encroachments have been permitted in RPAs, through the Plan of Development Review process

Fact Sheet Distribution



**18 Subdivisions have received
Fact Sheets to date**

Fact Sheet Distribution

Water Quality Watch

CHESAPEAKE BAY RESOURCE PROTECTION AREAS

The Chesapeake Bay Preservation Act

The Virginia General Assembly enacted the **Chesapeake Bay Preservation Act** in 1988. The Act requires local governments to include water quality protection measures in their zoning and subdivision ordinances and in their comprehensive plans. In October 1990, Chesterfield County adopted the **Chesapeake Bay Preservation Ordinance** to protect environmentally sensitive lands known as Chesapeake Bay Preservation Areas. The most sensitive of these are called **Resource Protection Areas**.

What are Resource Protection Areas?

Resource Protection Areas (RPAs), or buffers, are the "corridors" of environmentally sensitive land that lie alongside or near the shorelines of streams, rivers, and other waterways. In their natural condition, RPAs protect water quality. RPAs filter pollutants out of stormwater runoff, reduce the volume of stormwater runoff, prevent erosion, and perform other important biological and ecological functions.


The components of an RPA include:

- Tidal wetlands
- Tidal shores
- Non-tidal wetlands connected by surface flow and adjacent to tidal wetlands or tributary streams
- A 100-foot buffer landward of the above features

In Chesterfield County, RPAs are located adjacent to the James and Appomattox Rivers, to the Falling Creek, Lake Chesdin and Swift Creek Reservoirs, and to the 469 miles of perennial streams (streams that flow all year long) throughout the county. The James and Appomattox Rivers are tributaries to the Chesapeake Bay. All of our streams are tributaries to these two rivers.

Why should we protect our waters?


Streams, lakes and rivers are a key ingredient in our quality of life. They support a wide variety of plants, animals and aquatic life. People also enjoy them as visual and recreational resources. In Chesterfield County, a high percentage of homeowners benefit from living near a stream, river or other water body. Chesterfield County is committed to protecting our waters because they are valuable community assets.



What happens if Resource Protection Areas are not properly managed?

Because RPAs are so close to water bodies, disturbing them allows more pollutants to enter our waters and, eventually, the Chesapeake Bay. Stormwater runoff picks up and carries oil from roads, soil from construction sites, fertilizers and pesticides from farms and lawns, harmful bacteria from pet and farm animal wastes, and trash. In many areas, stormwater is one of the leading causes of surface water pollution.

In addition, if RPAs are inadequately managed, or if there is no protected stream corridor, other impacts such as stream bank and channel erosion, habitat destruction, and a reduction in the stream's biodiversity can result.



- 5000 Fact Sheets have been directly mailed to homeowners
- An additional 1500 have been given to "walk-in" customers

RPA Signs

**“The developer shall post signs
demarking
the limits of the RPA area so builders
and
homeowners can be informed as to
the
limitations imposed on these areas.”**

Protective Fencing for RPAs

“The erosion and sediment control plan for the project shall call for the placement of polyethylene fence or its equivalent along the RPA limits prior to the issuance of a land disturbance permit.”

Enforcement Activities

- **A total of 21 Notices of Violation have been issued for clearing of vegetation in RPAs since 1999**
- **13 of the 21 have been successfully remedied**
- **7 are in the process of developing restoration plans or are actively restoring the RPA**
- **1 case will be going to court in July**

Enforcement Process

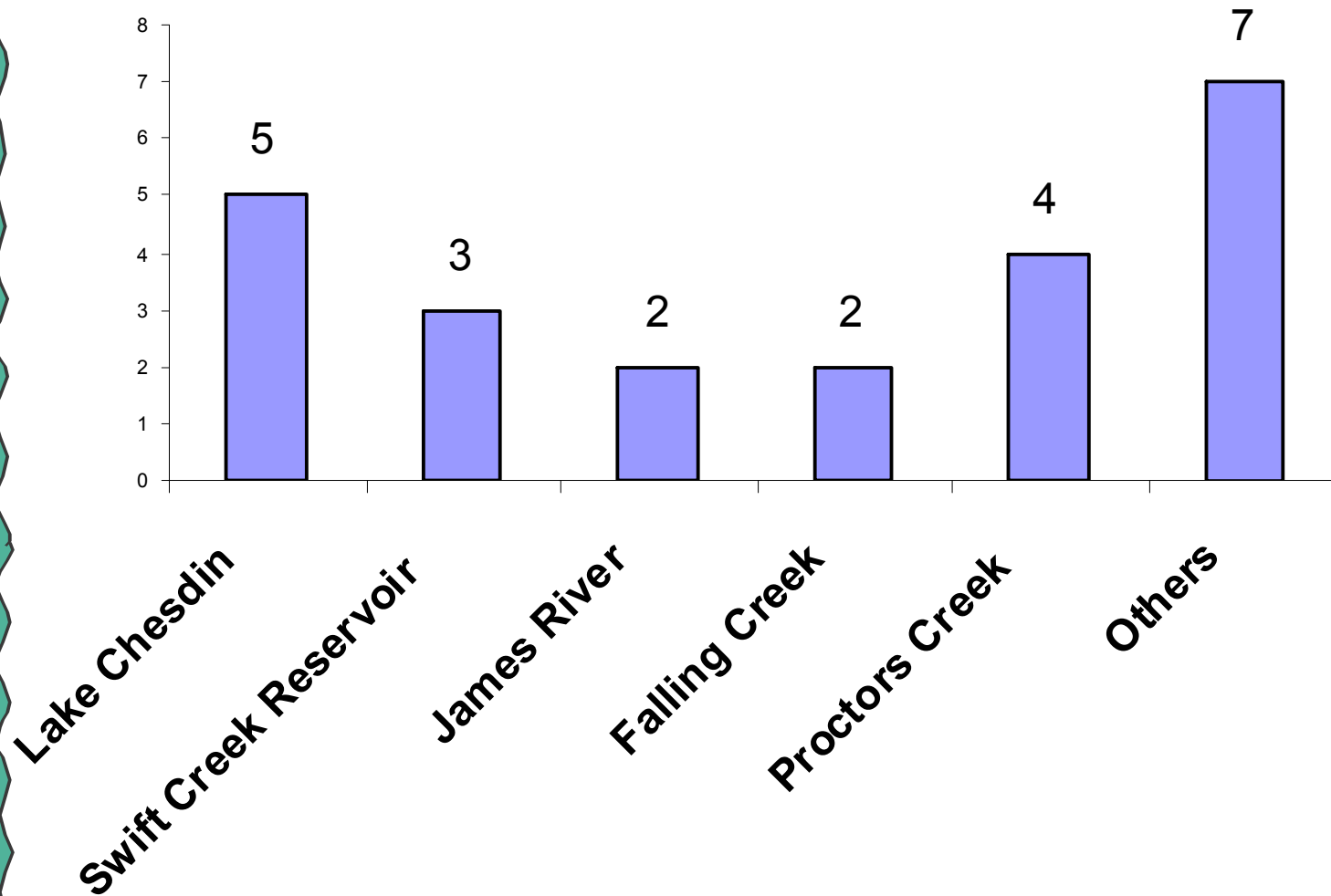


- Violation is reported to Code Compliance
- Water Quality staff meets with violator, reviews restoration requirements
- Restoration Plan is submitted for approval

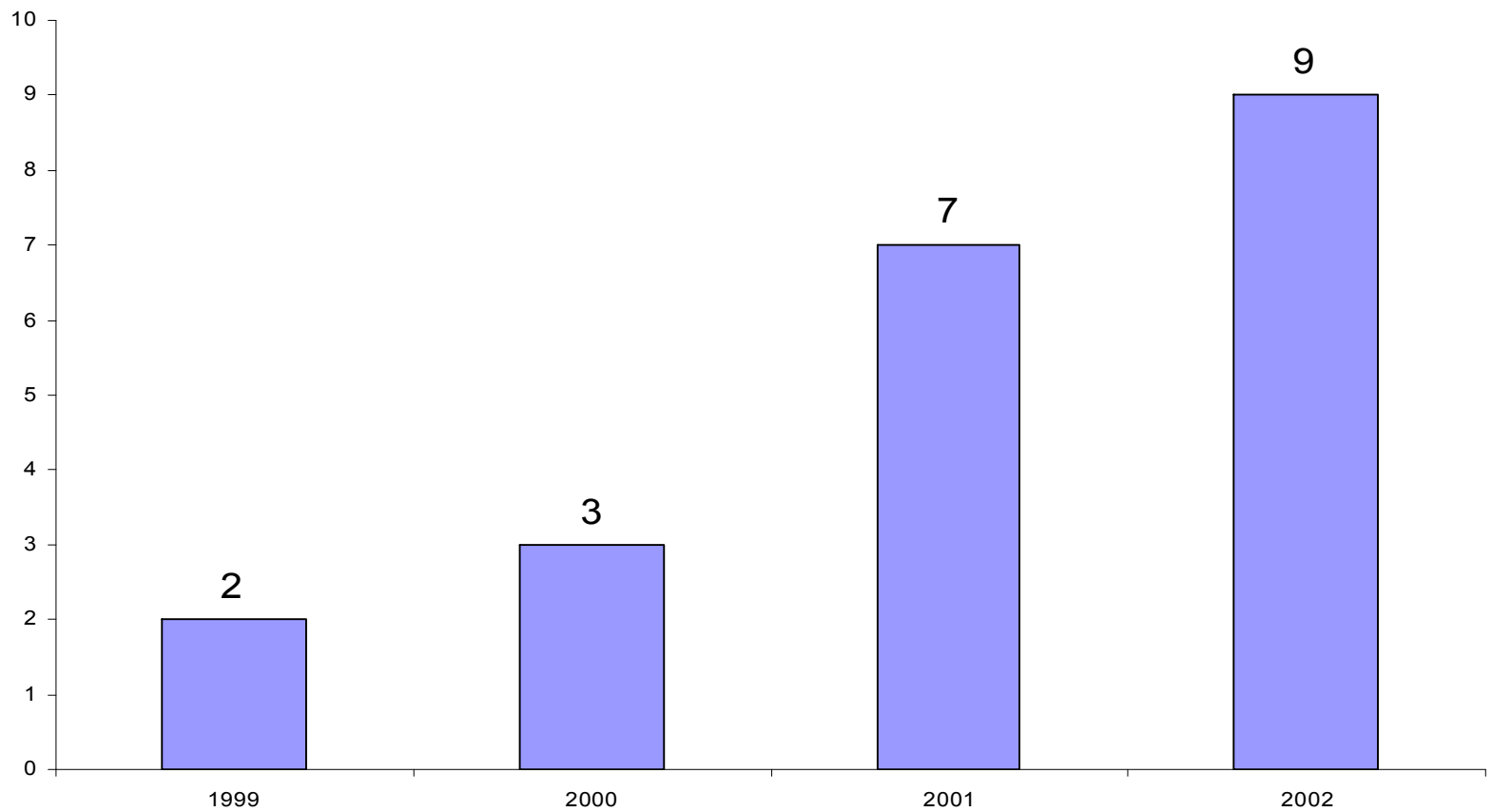
Enforcement Process (Cont.)

- **Plants are installed & inspected by WQ staff**
- **Violation closed out when installation is deemed acceptable**

RPA Violation Distribution



Number of Violations by Year



Issues

- **No consistent guidance on types, sizes and density of plantings**
- **Need to amend local ordinance to provide for performance bonds**
- **Need to amend local ordinance to permit greater fines**
- **Provide education to judges and other decision makers**
- **Need guidance on the content of restoration plans**

Our Goal

